1946

File No. 0 Leases/46

Legal Dept

A BRANCH

Subject:— Opinions in connection with the Leases

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C O N T E N T S.

Legal Department File No. O. Leases / 46

Sr.No.	R.I./O. No.	Subject	pages
		Opinions in connection with the leases.	
1.	O.n. 2281 26-3-46.	Whether inferior servants occupying rent free quarters in D.D.Chawls possess the same tenancy rights as tenants etc	

S.C. 11/7
5 copies.

Office of the R.L.A.

Since the concession of rent-free quarters is given to the inferior Government servants in lieu of payment of rent in cash they are tenants possessing generally all rights incidental to a tenancy. But the Bombay Rent Restriction Act, 1939, does not apply to the buildings vesting in Government (see R.L.A.'s opinions Nos. 8213 dated 6-11-1943 and 8938 dated 3-12-1943). If the tenants of Government buildings do not get the benefit of the Bombay Rent Restriction Act, much less would their sub-tenants be entitled to it. Consequently neither the inferior Government Servants occupying the D.D. Chawls nor their sub-tenants would be entitled to the protection of the Bombay Rent Restriction Act. The Superintendent of D.D. chawls has no power to evict inferior Government servants or their sub-tenants summarily nor can he be armed with any such power. The viction of the inferior Government Servants or their sub-tenants from the D.D. chawls cannot be done save by the due process of law.

S/-P.N.M.

23-3-46

Remembrancer of Legal Affairs.

U.R. to P.W.D. No. 2281, dated 26th March 1946.

S.C. 11/7

4 copies.